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ABSTRACT

This monograph deals with normative ethics, or the application of ethical principles in judging the rightness or wrongness of actions. Specifically, the monograph addresses normative ethics in the use of automated systems in the field and practice of counseling and guidance. It is noted that the immense growth planned for computer applications in guidance and counseling suggests the potential value in looking at ethics from the perspective of philosophical analysis, or metaethics. These legal issues in the use of computers in counseling are discussed: confidentiality; reliability; records; research; security; and networks. These ethical issues are discussed: screening of clients; literacy; testing and interpretation; popular misconceptions; counselor intervention; system access; unattended access to software; software bias; freedom of choice; climate of integrity; confidentiality within and among groups; notes and records of client sessions; orientation to expectations and limitations; and experimentation and research. These professional issues are discussed: learning styles; decisionmaking and planning; graduation requirements, tracking, and determination; professional renewal; systems evaluation; purchase guidelines; video enhancements; informed consumerism; conflict with counselor advice; and individual and computer scoring. The monograph concludes with the recommendation that new ways must be found to take advantage of technology in order for counselors to have more supportive, insightful, private time with clients. (ABL)

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Legal, Professional and Ethical Issues: The Use of Computers

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Executive Secretary
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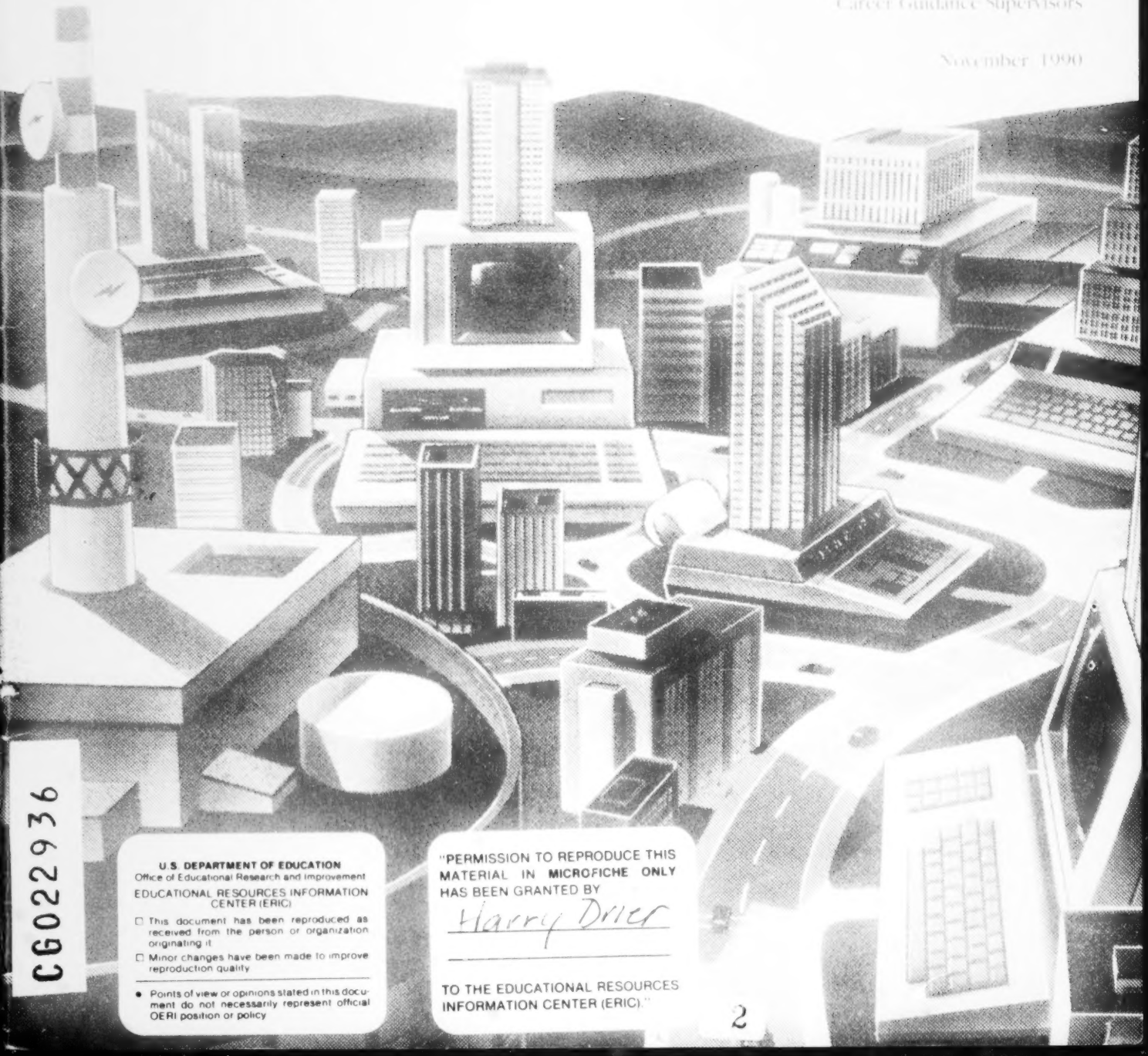
Special Report by the
National Consortium of State
Career Guidance Supervisors

November 1990



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Legal, Professional and Ethical Issues: The Use of Computers

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November 1990

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Preface

The climate for guidance professionals in today's schools is one of great pressure. Counselors struggle to provide services to large numbers of students; a counselor-student ratio of 1:500 is hardly extraordinary. Time for private, individual counseling sessions with students is next to impossible to find. Furthermore, counselors in the typical secondary school serve a much broader range of clients than was often the case in the past. Students with special learning needs are more easily identified with our more sophisticated diagnostic tools and techniques. Adults and economically disadvantaged youths have their own unique situations and needs as well.

Consequently, counselors turn increasingly to automated, computerized systems to provide career guidance and career information to their large student clientele. Many of these systems can provide enormous amounts of information to students. In addition, many, though not all, students often feel quite at home accessing such systems via personal computers. All in all such systems can be great time-savers for counselors; they can provide counselors the means to offer at least minimal guidance services to their many student clients. In some cases, it is difficult to imagine how counselors could provide any services at all to such large numbers of students without the help of computerized systems.

However, such increased use of computerized career guidance and information systems can easily land counselors in some difficult dilemmas. Is it, for example, actually appropriate for any student to sit down at a computer, feed in personal data as requested, and digest the results the computer provides? Does such a student have the skills needed to interpret such results? Does he or she have the wisdom and life experience necessary to make realistic, feasible life choices based on such results? Or the technical expertise to recognize an overoptimistic prediction or an overly limiting prognosis? For that matter, how capable is the software that manages the data the student feeds in? In short, is the counselor doing the student a favor by allowing free, unsupervised access to these systems?

Other ethical issues also affect the use of computerized career guidance and information systems. What controls are in place to limit access to personal data in such systems? Is the visual and verbal information they present fair and equitable? Do they lead counselors to overrely on their programmed results, to the detriment of students who do not fit any single conventional mold? Powerful and useful though such systems may be, they present an array of ethical issues that we must address as a profession.

Belinda McCharen
President
National Consortium of State Career
Guidance Supervisors

National Consortium of State Career Guidance Supervisors

The National Consortium of State Career Guidance Supervisors is a coalition of guidance representatives from participating state and territorial departments of education dedicated to enhancing career guidance and counseling, leadership, research, and dissemination in education. The Consortium's goal is to provide a framework for improving the effectiveness of elementary, secondary, and postsecondary programs, counselor education, and supervision and administration of career guidance programs.

The objectives of the Consortium are as follows:

- Provide a vehicle that brings states together to support mutual priorities, ongoing programs, and career development and prevocational services
- Promote the improvement and further development of career guidance at all levels of education
- Involve business, industry, and government in developing and evaluating quality career guidance programs
- Provide a structure through which to seek resources from public and private sources for program improvement and expansion
- Provide technical assistance to states in developing their annual and long-term plans related to career guidance and counseling

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Introduction

This monograph deals with normative ethics, or the application of ethical principles in judging the rightness or wrongness of actions. Specifically, the monograph addresses normative ethics in the use of automated systems in the field and practice of counseling and guidance. As we consider the immense growth planned for computer applications in guidance and counseling, we can see the potential value in looking at ethics from the perspective of philosophical analysis, or what is sometimes called *metaethics*. While counselors do not typically receive extensive training in philosophy, those who have such training might find this perspective useful and helpful in critically analyzing the meaning of the terms *good, bad, right,* and *wrong* in their professional practice.

Writers who specialize in the history of ethics agree that two general theories have developed as philosophers have attempted to judge particular actions. Philosophers in the deontological tradition hold that actions should be judged by universal rules or principles of conduct, whereas philosophers in the teleological tradition hold that the degree to which an action is ethical is determined by its consequences or results. Such a fundamental difference in assumptions about the nature of ethical conduct points up both the difficulty of achieving any real agreement on the resolution of a particular ethical dilemma and the necessity of developing effective methods of clarifying and defining the nature of the ethical differences that come into play when a particular decision is made (Brockett 1988, pp. 55-56).

Ethics for the counseling profession is a practical endeavor. Their purpose is to enable counselors "to act and live rightly" and can be traced directly to Aristotle. While the original, practical pursuit of the ethics principle has been watered down, so to speak, Finnis (1982) interprets Aristotle's ideas in this way:

> He meant that one does ethics properly, adequately, and reasonably, if, and only if, one is questioning and reflecting in order to be able to act--i.e., in order to conduct one's life rightly, reasonably, in the fullest sense of "will." (p. 1)

Ethical dilemmas occur for the counselor when he or she is faced with a situation involving choice, engendered by a change agent or client system, that has the potential to result in a breach of acceptable behavior as a result of acting on one moral conviction that might mean breaking another.

It is expected that most ethical or legal problems in guidance and counseling arise not from deliberate efforts by counselors to abuse responsibilities toward clients but rather from a lack of understanding by counselors of the nature of ethical questions and from an overreliance on formal ethical codes. In the training field, there is a "Faker's Dozen," which outlines twelve categories of unethical behavior. Among these categories are the Boilerplaters, who lead clients to believe that what they are receiving was developed specifically for them when, in actuality, it is a packaged program, and the Fancy Footworker, who offers little of substance to clients but does so in an entertaining way. These and other examples also have meaning in our field and hold out warning to us.

Formal codes of ethics and standards of "good" practice like the *Ethical Standards of the American Association for Counseling and Development* (1988) provide prescriptive guidelines for what may be defined by some as appropriate behavior. However, these general approaches merely scratch the surface of understanding ethical practices. They are mainly concerned with practices and outcomes and do not take into consideration the process that individuals go through in ethical decision making. What is needed is a better model, which

shows the dimensions of ethical practice and which describes a process that will allow counselors to draw on their own basic values in making decisions. Such a model would include at least three dimensions:

- ***The counselor's own personal value system***--Each counselor holds a particular set of basic beliefs. These beliefs are so deeply internalized that they are the least perceptible in actual practice.

- ***The possibility of dissonance***--The responsibilities of a counselor extend simultaneously in several directions, which may conflict with one another. For example, the counselor's personal value system, the mission of the agency, and the needs and preferences of clients do not always coincide; when they do not, dissonance may be created.

- ***The ways in which values are operationalized***--Counselors frequently have difficulty articulating their own personal position, accommodating that position to specific practices, and determining how and where to draw the line.

Sieber (1980) has developed four basic principles that constitute ethical norms for practice and that might be useful here:

- ***Beneficence*** is the avoidance of unnecessary harm and the maximization of good outcomes. As counselors, we need to be highly sensitive to the means used to reach given ends and to weigh the potential consequences of such means against the positive outcomes that might result.

- ***Respect*** is a concern for the autonomy or freedom of persons and for the well-being of nonautonomous persons. Rogers (1961) would have used the term *unconditional positive regard*. As counselors, we need to recognize the diversity of the clients we serve, of the tools we use, and of the field in which we work.

- ***Justice*** is equity, or fairness, and is a vital ethical concern in the field of counseling and the practice of guidance. Practices, access, data, and expectations must all be customized to fit each special person or group that we deal with.

- ***Client obligation*** is the responsibility and duty that counselors have to show the client what must be done to produce both the most favorable and the most honest action, decision, or plan possible.

Context: The Practice of Guidance

The 60,000 professional counselors in our country's 140,000 public and private school buildings deal with a microcosm of the issues, problems, values, aspirations, failures, and environments of this country. As professionals, whether in public or private practice, counselors deal daily with every conceivable problem or dream that youths and their parents have, as well as the issues and problems facing adult workers.

Today's counselor realizes that the expectations and demands of clients are not matched by the time and resources available. With 250 to 2,000 clients, the typical elementary and secondary school counselor is locked out of quality time and access to the client. Most schools and institutions give lip service to the idea of direct availability of counselors to clients, but in practice public school students are denied day-to-day access to the counselor and to guidance services. Life planning, decision making, and the other content of career development are given neither clock time nor credit in the academic structure of graduation requirements. A typical student has 2,340 days of exposure to academic subjects during his or her K-12 school experience yet this typical student spends very few hours with a counselor. In the case of my daughter, for example, only 13 hours of formal, recorded counselor exposure were made available to her. Classrooms, especially at the high school level, are content- and not kid-oriented. It is difficult for the counselor even to gain entry into the typical classroom to teach the content of guidance and career development.

Parents typically do not come to the school, and the practice of education staff going into the home is a lost art. The budget for guidance, in dollars per student, does not compare with that for vocational education,

physical education, or even English. The demands of administrative chores take time away from client contact and lessen the counselor's opportunities to be a true client advocate.

This description of the typical environment, conditions, and context of the counselor could be expanded. Perhaps the most damning indictment, however, is this: although parents--and taxpayers--have rated career development and guidance competencies to be of the highest priority for their children in every national survey conducted since the mid-70s, the nation's schools have essentially said that consumers are wrong. Ironically, even 32,000 high school students surveyed by ACT in 1987 ranked items related to career information and planning as their three highest priorities (Garvis 1989).

Further, in a recent Gallup Poll conducted for the National Career Development Association, adults in the work world typically identified the same problems in their lives, either now or earlier. As an example, 62 percent of all respondents now in the labor force--no matter what educational routes they followed to get there--say that they had no career plan at all to lead them to appropriate employment. Respondents' average stay in their first job was less than a year, because of dissatisfaction. Among all respondents, 64 percent stated that they would change careers, and over 50 percent admitted that they ended up in their current jobs through chance circumstances or on the advice of others. Last, few respondents could remember a formal and programmatic opportunity to work with a counselor and gain help in planning and entering their careers. To judge from such complete and open information, career planning is important to many people.

The fact is, however, that less than 6 percent (5.8 percent, to be precise) of all students, from kindergarten through grade twelve, have access to our sophisticated, computerized career information, guidance, and counseling systems and use those systems. This is clearly a reflection of the priorities of local schools across the nation. How ironic that the United States, which leads the world in systems design and user-friendly programs and operations, has found neither the interest nor the means to make available to students what we know--much less to require that students use what we know! The picture nationwide is even more tragic when we consider youths and adults in special-needs institutions and correctional facilities or displaced and unemployed adults.

Context: The Conceptual Issues

An overall context in which such issues can be examined conceptually is presented in figure 1, which attempts to demonstrate the various dimensions across the wide diversity of individuals we serve, the stages in the lives of clients, and the rights of clients. While it is to some extent artificial to separate ethical, legal and professional viewpoints, such a separation can also be useful.

Each client or client support unit has both realistic and unrealistic expectations of the counselor. In essence, the client, the client's parents, and sometimes the clients' spouse all have certain hopes or desires. Although they may not understand the terminology or process of counseling, they expect schools and counselors to help them transfer skills, experiences, and dreams into selecting jobs or additional education that will lead to lifelong employment and economic success. They also expect counselors to know about the support services necessary to help them attain their dreams and to provide those services. It is in this context that counselors--especially those lacking time, access, and skills--reach out to mechanized options to meet the demands of an unrealistically large case load. Under the pressure of time and resources and lacking experience, training, and the opportunity to monitor and evaluate guidance programs, counselors unknowingly fall into ethical, legal, and professional problems.

Context: The Consumer

To put the issues of legal rights, general ethics, and the professional expectations of counselors into a more specific personal context, let me use my own family and experience. My wife and I are both professional, degreed parents. We have two children who measure from bright to brilliant but who, because of learning disabilities present from birth, have limited ability to succeed at school and learning.

Figure 1

Client Career & Life Decision Making and Planning & Information Issues & Implications

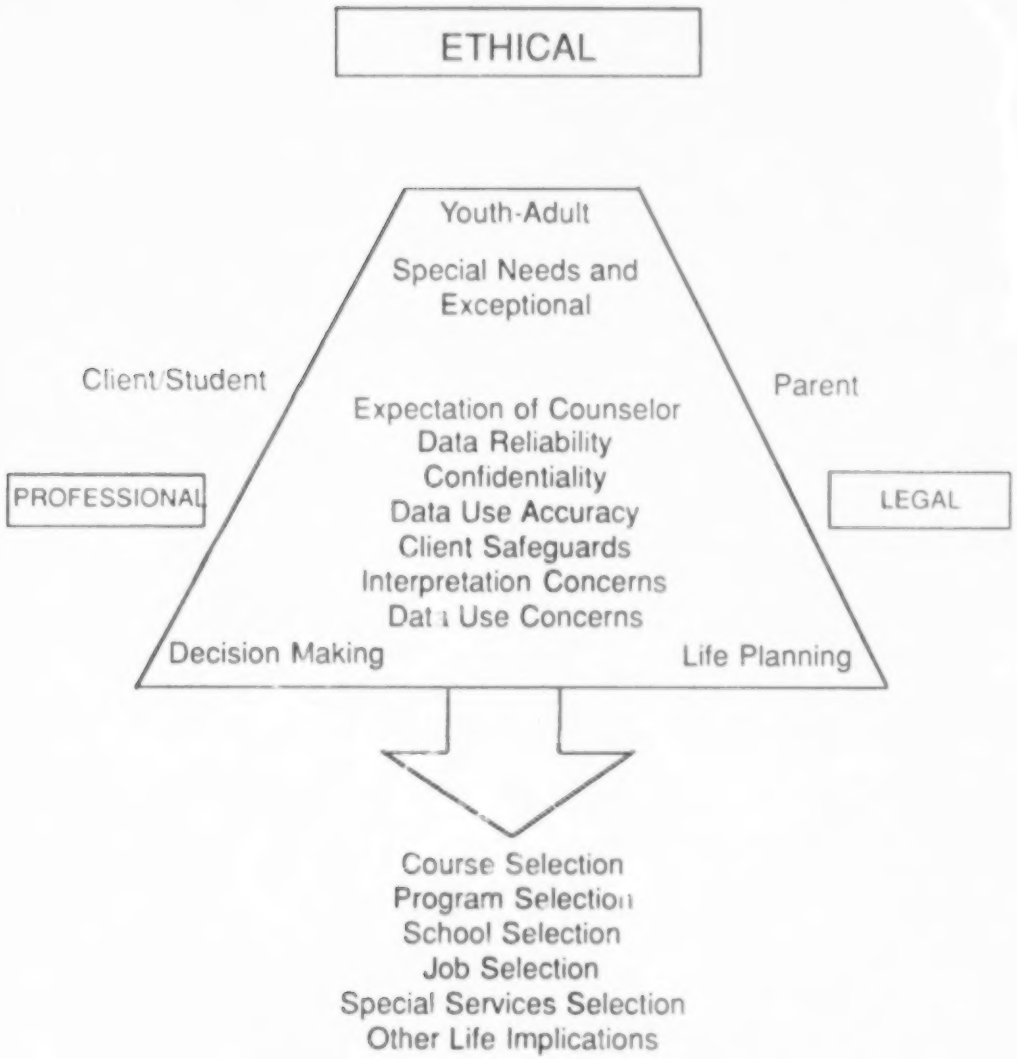

Figure 1. Conceptual context for ethical, legal, and professional issues

My wife and I purchased a home in what we had determined to be the best school system available. We invested large amounts of money in determining the nature of our children's learning disabilities and identifying the learning styles best suited to their unique conditions. Early on, we trusted the pupil personnel services staff as the experts, most of whom had master's or doctoral degrees and considerable experience. We thought that we had selected the best school situation for our children. In retrospect, it was far from the ideal situation for them.

What we found in fact was a busy school environment. Academic achievement was considered to be the key to economic success, higher education, and status. Our children were in an environment where you learned the way you were taught, with no time for individualization or pampering. Grades and the level of courses were the best indicators of individual achievement. Teachers did not understand the basics of learning disabilities. Our children could not read tests, but verbal or audio options were not offered. Critical information was available on computers, but our children had great difficulty understanding how to use them. The few counselors available expected students to come to them, but our children were embarrassed to ask for help. Information was available but only on demand. A determined attempt was made to place our children in experiential learning environments, but their academic deficiencies limited access for them. As a professional counselor, I knew what I wanted for our children and what they needed, but the structure, policies, and procedures of the system could not be customized to meet their specific needs.

In essence, what we found was a system geared to the masses. Counselor time was limited and not required. Tests were given, printouts were provided, and results were interpreted--but in groups to save time. Although the buildings had computers with the best databases, more time was spent on how to use the computer than on how to interpret the output. Little time was spent on converting data on interests, aptitudes, achievement, and experience into anything useful. Reams of printouts were sent home, but our children could not figure out what the information meant or how to use it.

My wife and I finally reached the point that we wanted to charge the school with neglect and misrepresentation, particularly when the school informed us that college should not be pursued, even though our children's IQ scores were 139 and 152. I have been pleased to report to the school district that through careful selection of colleges, one child graduated with honors from a five-year art college and the other now manages 1,400 properties in Washington, DC, supervises 200 employees, and administers an annual budget of $800,000.

The reason that my wife and I did not take the school district formally to task is that we realized that our expectations were too high. We wanted direct, ongoing contact with the counselor, but our children were only two of the 500 with whom each counselor had too work with. We came to realize that computers were time-efficient tools for busy counselors. We realized that counselors, nurses, and psychologists lacked the time to influence teachers' values concerning exceptional students. In short, we realized that the school was inflexible; at that point, we took career development planning into our own hands. Because our children valued learning and success and had the capabilities to achieve both, we found a vehicle to post-high-school success for them. Nonetheless, this success was not achieved without scars, and we continue to fight for changes in the schools.

The Issues

The information that counselors dispense, the interpretations they provide, and the special counseling they offer--all these influence the lives of clients either positively or negatively. Furthermore, counselors can be a major influence in the lives of adults as well as youths. Along with such awesome responsibility come issues of legal ramifications, of everyday ethics, and of professional responsibilities. This chapter deals in part with each of these three issues.

Legal Issues

As a taxpayer and consumer of educational services, public or private, I have certain expectations about my legal consumer rights. I want to be assured that all information--on aptitude, ability, interest, college selection, job demands, job availability, financial aid, military options, and so on--is current, accurate, and unbiased.

I am particularly concerned that all data used in making decisions and plans for future action for my child be in his or her best interest and scrupulously accurate. I want data on my child to be protected and to be interpreted with objectivity, and I expect counselors to clearly inform both me and my child of all available resources. Furthermore, I hold counselors responsible for monitoring all information: is it biased? accurate? current? customized to the unique profile of my child? In essence, I want to feel certain that the career direction of my child is based strictly on the realities of the future.

If I were ever to take a school or counselor to court, legal action would be based on one of these issues:

- ***Confidentiality***--Personal data should be shared only with those who value it appropriately and can handle it professionally.
- ***Reliability***--All information on tests, college selection, financial aid, and so forth, should be believable and should represent feasible options.
- ***Records***--The personal records of my child should be protected; furthermore, they should reflect the positive aspects of my child as well as the negative. Any such records should be shared only with my permission.
- ***Research***--The advantages of using actual data on actual students for research purposes are obvious; however, my child should never be personally identified in a research effort without my authorization.
- ***Security***--Appropriate controls should be in place so that no one can access personal records without explicit permission.
- ***Networks***--Likewise, information on my child should never be transferred to other parties without specific authority from me.

As we expand our use of computerized data on student demographics and experience, we must also take on the responsibility for securing these data. If you release data on my son or daughter without my permission,

a legal suit is possible. If I find that the source of data furnished to my child is out of date, biased, or incomplete or that the system of access is inappropriate, I could challenge and even sue the counselor on a number of issues. The point here is not to frighten counselors but rather to help both counselors and schools recognize that they must respect the rights of the individuals with whom they deal--specifically, the rights of those individuals to protection. The specific interpretation of a student's ability and the translation of that ability into career or educational choices can lead either to client satisfaction or to confusion.

Ethical Issues

Although our clients, and sometimes their parents, have general expectations of ethical behavior from counselors, we should, as professionals, hold much higher standards for our own behavior. Earlier, we discussed general principles of ethics and our professional responsibility to uphold certain standards. Now, I would like to be more specific in relating those to the counselor's use of automated testing, interpretation, and information dissemination and to the use of such automated methods in goal setting and career planning.

Given the conditions in today's schools--the ratio of counselor to students, the limited time with clients, and tight budgets for resources--a range of issues surface. There is a real danger that counselors will turn to technology because it is time-efficient without regard for the quality of services that it can provide. Scarcity of time and resources may very well pressure counselors into using such time-efficient methods to provide at least minimal services to their large numbers of clients.

Screening of clients. As counselors, we need to be very careful in the screening of the individual students. The conditions under which data are obtained and analyzed is extremely important. Can the student read and understand the instructions? Is the intake procedure sensitive enough to personalize individual conclusions and recommendations? Is the screening procedure sensitive to race, sex, family conditions, emotional state, and previous experience? If we do not consider these conditions as we screen new clients, the whole counseling relationship could be plagued by legal and professional problems.

Literacy. Increasingly, we see not only youths but also adults, especially immigrants, who lack the experience and basic skills to use what we provide them. The effect of low literacy skills is particularly critical when we begin the process of self-examination, interpretation, and information to plan the next steps in clients' career plans.

Testing and interpretation. The great majority of all practicing psychologists anticipate increased problems in computerized interpretation of test results. It is suggested that interpretation and internalization of test results are best provided in private sessions or professionally managed small groups, of sufficient length with a trained, unbiased professional. Machines cannot interpret for the individual; they can only merge broad, quantitative data into unpersonalized summaries. Counselors who allow mechanical interpretation without personal interaction with the client are only setting themselves up for problems.

Popular misconceptions. Clients, their parents, and/or their spouses are usually not as trained or experienced as counselors. In all likelihood, they do not realize that there are frailties in the data we are using, in the translation potential of our tools, and even in or own skills and experiences as counselors regarding the issues at hand. It is our responsibility as counselors to ensure that clients and significant others are made aware of such potential shortcomings.

Counselor intervention. As counselors, we must be able to recognize when intervention is needed for individuals and groups, whether that intervention is computerized intake, assessment, decision making, planning, or other action. We must consider the source of the data we use, the reliability of the database, and the reliability of the software that manages the database. Given these factors, we must limit the influence of both data and data interpretation as appropriate in helping clients make personal plans and decisions. To do so, we must be present and available; if we cannot be available at teachable moments, we should reconsider providing particular data to clients.

Software quality. The marketplace today is swamped with software. Sources range from bright entrepreneurs to trusted research and development agencies. We must always keep in mind that software may be used to decide critical issues in clients' lives. A software's glitter, bells, and whistles may very well impress users but provide no guarantee whatsoever of quality.

System access. Not all clients enjoy the same access to equipment and resources. It is the counselor's responsibility to ensure that access is provided and that it is provided under customized conditions suited to the individual client's needs. If ways cannot be found to provide such customized access in a guidance office or facility, means of providing appropriately controlled and customized access in classrooms, libraries, and homes must be fully considered.

Unattended access to software. Widespread computer literacy may lead counselors to assume that students can handle data presentation and interpretation on their own. Skill in computer operation, however, is not at all the same as skill in data analysis and interpretation. Careful, customized control must be provided to ensure that students do not access information and mechanical interpretations without professional assistance in using them. Left on their own, computer-literate clients may end up concluding that 2 x 2 = 8; safeguards in the form of professional counselors must be in place.

Software bias. One perceived strength of computerized systems is that they are counselor-proof: that is, not subject to individual bias. However, counselors must always remember that software is developed by *individuals* and, even under the best conditions, may be contaminated by the values, attitudes, and perceptions of those individuals. An overall caution is warranted: no computerized information should be taken as gospel.

Freedom of choice. As counselors, we tell our clients that they are fully free to make their own individual decisions concerning most aspects of their educational, job, and life planning. However, our duty as professional counselors is to inject realism into the range of choices feasible for individual clients; we must help clients understand that their choices are limited in practice by their own strengths and weaknesses, by the resources and opportunities available to them, and by the opportunities they perceive.

Climate of integrity. Each client comes to us and, during the counseling process, shares many of his or her problems, dreams, and future plans. This sharing involves trust; as counselors, we must guard and respect this trust at all times.

Confidentiality within and amoung groups. Most counselors engage in group work as a great time-saving alternative to individual consultation. Whenever sensitive data are collected or presented in a group, the group needs to know that counselors can be trusted and that data will be treated with strict confidentiality; counselors must of course respect such trust and confidentiality.

Notes and records of client sessions. Confidentiality must also be safeguarded when counseling is attempted to be delivered via computers. With new networking systems and associated demands for student data, special precautions need to be established. All computerized data files that are no longer necessary for individualized use should be destroyed. Computerized data generated from a client still belongs to that client and cannot be used without his or her permission.

Orientation to expectations and limitations. Computers and computer outputs can be very impressive, especially to youths. It is possible that clients have greater expectations of software that the software can fulfill. The counselor needs to provide an orientation to any system in use, covering purposes, procedures, rules, cautions, limitations, and goal expectations of the system. Without such professional advice and direction, clients could place much more value on the system than it deserves.

Experimentation and research. As counselors, we have neither reason nor permission to use our clients for research or material/report development purposes unless they are made fully aware of the conditions and give us explicit permission, usually in the form of signed releases. We all know that there are implications for the individual in the use of computerized group data, and such data must be safeguarded with special precautions.

Summary. In short, ethics demand that we know what we are doing, that we fully understand the quality and limitations of our computer software programs, that we protect the client at all costs, and that we provide locks on all databases. The bottom line is that all client data belong to the client and little can be released without prior permission.

Professional Issues

Finally, there are a number of issues related to the techniques and methods of our profession of counselor, both in the way in which we handle individual clients and in the way we analyze and use data pertaining to those clients.

Learning styles. Most systems of career information, planning, and decision making are based on a single learning style principle or, at best, a limited number of such principles. Additional and better research is needed about learning styles and specifically about which learning styles are and are not suited to automated approaches to learning and decision making. Without such new insight and accompanying practices, we run the risk that our clients will misunderstand information and use it inappropriately.

Decision making and planning. Numerous new systems have designed colorful, fun gimmicks to decide and plan a range of life goals and interests. We must always remember, however, that such decision making and planning can seriously affect the lives of clients. Unless tempered with realism and caution--which it is our responsibility as counselors to provide--such actions can have troublesome consequences.

Graduation requirements, tracking, and determination. Each of us has been in situations in which students have been misadvised or in which poor interpretation of information has caused disappointment, inappropriate educational decisions, or other serious consequences. Special caution must be exercised by those of us who rely heavily on nonpersonalized techniques for making course and program decisions in schools. It is clearly wrong for us to become involved, however indirectly, in locking clients into tracks and limited situations and in eliminating the full range of options that all clients deserve.

Professional renewal. Coupled with new investments in hardware is the need for new investments related to software for guidance and counseling. Investment in the initial purchase of software is not alone sufficient; investment must also be made in training counselors and other guidance personnel in the use of new software. Districts, agencies, and counselor trainers need to become more knowledgeable about software programs. We, as professional counselors, need to do likewise. We must know how software programs can best be used by students, parents, spouses, teachers, and other significant adults.

Systems evaluation. The hardware and software industries owe us a better understanding of the effects of using automated data systems. Indeed, it would be to their benefit as well as ours to determine and make known under what conditions their systems do and do not work. With such information in hand, counselors will feel increased confidence in the use of systems, resulting in increased and improved use or decreased use.

Purchase guidelines. When we attend conferences and conventions and talk to salespersons who reveal the magic of automation to us, few of us take the time or even have the knowledge to compare and contrast systems to determine which one best meets our clients' needs. Specialist third-party agencies such a state departments of education or counselor educators need to keep counselors informed on such issues.

Video enhancements. At a minimum, visual graphics and images incorporated into automated systems increase clients' interest in the systems and their motivation to use them. As a profession, we need to examine those new visual images closely to ensure that they do not transmit biased messages about age, sex, race, and so on--messages that could adversely affect the career choices and plans of our clients.

Informed consumerism. It is understandable that enthusiastic vendors, public or private, are spellbound with their products and see infinite possibilities for their use. Equally, it is understandable that vendors invite us to share their enthusiasm. Here again, however, we need a third party with appropriate skills and objectivity

to test and verify their claims. What better role is there for counselors and their profession and its various professional associations?

Conflict with counselor advice. Our best attempts to advise clients miss the mark at times; time, skills, and information are not always adequate to the situation. Nonetheless, in-person counseling is the best and most dependable method we know. With the introduction of automated advisors also comes the possibility of confusion and contradiction. We can probably never eliminate the possibility, but we can be sensitive, cautious, and ready to provide resolution of such conflicts.

Individual and commercial scoring. We all know the inherent limitations of test, inventories, and other devices. Although we work hard to improve these imperfect devices, caution remains in order. There is special concern with "quick and easy" local scoring techniques that, all too often, turn into mechanical interpretations and decisions, however fancy they may be. As professionals, we need to monitor the individual scoring and recommendations provided by vendors or machines in order to protect our clients from faulty use of facts. The fact remains that it is only through the personal and professional interchange between counselor and client that data can be genuinely personalized and appropriately used.

Summary

Of all the ethical, professional, and legal issues that face us as human development professionals, those pertaining to the consequences of choice take precedence over all others. Should we encourage our clients to address the consequences of choices they may make? It is often the professional counselor who provides both the data and the interpretation of the data that form the foundation for plans, be those good or misguided. What responsibility should we assume for the consequences?

Are there universal rights and wrongs in our field? Or is the rightness or wrongness of a behavior or an influence totally determined by the context in which we operate as counselors and in which the behavior or influence occurs? I believe that we should focus on normative ethics. We need to concentrate on those philosophical issues that help us determine the meaning and application of *good, bad, right,* and *wrong*.

We need to look more closely at the subtle but perceptible differences between ethical and legal issues. While the two types of issues may seem much the same, ethical issues are often not expressed as law. We deal every day with the border between ethics and law; we need to be aware of that border yet, at the same time, accord the same respect to ethics that we do to law. To the extent that we value and fulfill our ethical, legal, and professional responsibilities to our clients, those clients will value our profession and make use of our services--and only to that extent.

We cannot afford to turn over any of the personal dimensions of our personal and professional relationships with clients to machines and fancy tools. Rather, we must find news ways to take advantage of technology in order to have more supportive, insightful, private time with our clients. Information developers and technicians who create exciting, effective, interpretive and useful pathways into our jungle of information should be applauded and encouraged, but they should not be left to do the job alone. It is the combination of information technologies and the personal and professional skills of counselors and other helping professionals that is the best support service that we can provide to our clients.

References

Akridge, Sharon A., and Ross, Peter. "CCC's Success Program: Counseling, Caring, and Campus Involvement." Conference paper 150. ED 289545. JC 850404. July 1987.

Automation and the Workplace. Library of Congress no. 83600508. Washington, DC: Congress of the United States, Office of Technology Assessment, 1983.

Brockett, Raplh G., ed. *Ethical Issues in Adult Education*. New York, NY: Teachers College Press, Columbia, University, 1988.

Childers, John H., Jr. "The Counselor's Use of Microcomputers: Problems and Ethical Issues." *The School Counselor* 33, no. 1 (September 1985): 26-31.

Donohue, John P. "Development of Oakton Community College's Graduation/Registration/Advisement System (GRADS) and the Standards of Academic Progress (SOAP) Utilizing Computer Resources." *Resources in Education*, September 1984.

Ethical Standards of the American Association for Counseling and Development. Alexandria, VA: American Association for Counseling and Development, 1988.

Handbook of Standards for Computer-Based Career Information Systems. Eugene, OR: Clearinghouse of the Association of Computer-Based Systems for Career Information, 1982.

Jacob, S., and Brantley, John C. "Ethical-Legal Problems with Computer Use and Suggestions of Best Practice: A National Survey." *School Psychology Review* 16, no. 1 (Spring 1987): 69-77.

Jarvis, Phillip S. *A Nation at Risk: The Economic Consequences of Neglecting Career Development*. Ottawa, Ontario: STM Systems Corporation, 1989.

Johnson, Cynthia S. "Ethics in Technology." Paper. ED 235429. CG 016963. June 1983.

Kollman, Ernest A., and Reinharth, Leon. *Information Systems for Planning and Decision Making*. New York, NY: Van Nostrand Reinhold, 1984.

Sampson, James P., Jr. "Ethical Use of Computer Applications in Counseling: Past, Present, and Future Perspectives." In *Ethical Standards Casebook*, edited by L. Golden and B. Herlihy. Alexandria, VA: American Association for Counseling and Development, 1989.

Sampson, James P., Jr., and Loesch, Larry C. "Computer Preparation Standards for Counselors and Human Development Specialists." *Journal of Counseling and Development* 64, no. 1 (September 1985): 31-33.

Sampson, James P., Jr., and Pyle, K. Richard. "Ethical Issues Involved with the Use of Computer-Assisted Counseling, Testing, and Guidance Systems." *Personnel and Guidance Journal* 61, no. 5 (January 1983): 283-87.

Stone, Thomas K. "Microcomputers in Counseling." Paper. ED 247511. CG 017673. August 1983.

"Student Information and Performance Standards." Volume 4 of *Miami Dade Community College Institutional Self-Study*. JC 850401-408. April 1985.

Talbutt, Lou C. "Ethics and Computer Usage: Hidden Answers for School Counselors." *The School Counselor* 35, no. 3 (January 1988): 199-203.

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